

BOHANON

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>RALPH WEBB, GARY WILLIAMS and EARL UMHOLTZ,</p> <p>VS.</p> <p>GENE LONGAN d/b/a MIAMI SERVICE SHOP,</p>		<p>For plaintiff:</p> <p>Jerry L. Smith <i>939-2445</i> 1406 Terrace Drive Tulsa, Oklahoma 74104</p> <p>For defendant:</p> <p>Gene Longan <i>Coy Morrow</i> Wallace and Owens P. O. Box 1168 Miami, Oklahoma 74354 <i>(542-5501)</i></p>					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 7-1-72	Clerk	6/7 6-8-72	J. Smith C.D.No.54	15.00	15	00	
J.S. 6 mailed 10-1-73	Marshal						
Basis of Action: violation of Fair Labor Standards Act	Docket fee Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-7-72	Complaint, filed. Summons issued. rm	
7-13-72	Appl. of pltf. to serve summons by certified mail, filed. <i>Order to J.</i> rm	
7-17-72	Order, filed, that service of summons by cert. mail is granted. (LB-J)hm (copies mailed)	
8-30-72	Summons, ret. & filed: <u>unserved</u> as to Gene Longan. (USM \$22.08)g	
10-12-72	Affidavit of mailing complaint and summons to def., filed, w/ret. receipt attached, showing service on 10-3-72. rm	
10-24-72	Answer, filed. hm	
10-24-72	Cross-complaint of deft. against pltf., filed. hm	
4-17-73	Answer by pltf. Ralph Webb to deft's cross-complaint, with leave of Court to file out of time, filed. (LB-J)g <i>granted</i>	
5-8-73	Ordered by the Court that this case is set for Pre-Trial Hearing on May 24, 1973, at 10:00 A.M. (LB-J)v -notices mailed.	
5-24-73	Pre-Trial hearing held. Parties rep. Pltf to prepare P-T Order within 10 days. Deft to file Mtn for S/J. (LB-J)r	
6-5-73	PRE-TRIAL ORDER filed. (LB-J)r (Copies mailed to attys)	
6-7-73	Mtn. for Prod. of Documents Under Rule 34, filed. jj	
7-3-73	Response to motion for production of documents under Rule 34, filed. h	
7-18-73	Case passed from hearing on motion for prod. of documents, since motion has been satisfied. (LB-J)hm	
8-16-73	Case set for non-jury trial 8-28-73 at 9:30 a.m. (LB-J)hm	
8-28-73	Case tried to the Court. Parties waive opening statements. Pltf. presents case in chief and rests. Deft's motion for dismissal denied. Deft. presents case in chief & rests. Closing arguments made. Court finds in favor of Pltf and awards \$439.05 to Ralph Webb, \$243.66 to Gary Williams & \$296.33 to Earl Umholtz; and denies counterclaim. Court awards \$500 as atty. fees for deft's counsel. Pltf. to prepare F/F, C/L & Judgment and ^{Court} states that time for appeal will begin to run upon filing of judgment. (LB-J)hm	
8-28-73	Trial exhibits, filed. (Only Pltf's 1,2,& 3 - #2 in exhibit room)hm	
9-10-73	Findings of fact, conclusions of law and judgment, filed and entered, that pltf. Ralph Webb recover amt. of \$439.05 from deft.; that pltf. Earl Umholtz recover amt. of \$296.33 from deft.; and that Gary Williams recover amt. of \$242.66 from deft. for a total amt. of judgment in amt. of \$978.04, plus atty's fee to Jerry L. Smith, pltf. counsel in amt. of \$500.00, plus costs. (LB-J)hm (copies mailed)	
11-1-73	Release and Satisfaction of Jgmt. by Ralph Webb, filed. jj	
11-1-73	Release and Satisfaction of Jgmt. by Gary Williams, filed. jj	
11-1-73	Release and Satisfaction of Jgmt. by Earl Umholtz, filed. jj	
11-1-73	Release and Satisfaction of Jgmt. by Jerry L. Smith, filed. jj	